



Rep. Michelle Mussman

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LRB097 08317 RLC 52854 a

1 AMENDMENT TO HOUSE BILL 3506

2 AMENDMENT NO. _____. Amend House Bill 3506 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Sex Offender Registration Act is amended by
5 changing Sections 3 and 6 as follows:

6 (730 ILCS 150/3)

7 Sec. 3. Duty to register.

8 (a) A sex offender, as defined in Section 2 of this Act, or
9 sexual predator shall, within the time period prescribed in
10 subsections (b) and (c), register in person and provide
11 accurate information as required by the Department of State
12 Police. Such information shall include a current photograph,
13 current address, current place of employment, the sex
14 offender's or sexual predator's telephone number, including
15 cellular telephone number, the employer's telephone number,
16 school attended, all e-mail addresses, instant messaging

1 identities, chat room identities, and other Internet
2 communications identities that the sex offender uses or plans
3 to use while accessing the Internet or uses for other purposes
4 of social networking or other similar Internet communication,
5 all Uniform Resource Locators (URLs) registered or used by the
6 sex offender, all blogs and other Internet sites maintained by
7 the sex offender or to which the sex offender has uploaded any
8 content or posted any messages or information, extensions of
9 the time period for registering as provided in this Article
10 and, if an extension was granted, the reason why the extension
11 was granted and the date the sex offender was notified of the
12 extension. The information shall also include a copy of the
13 terms and conditions of parole or release signed by the sex
14 offender and given to the sex offender by his or her
15 supervising officer, the county of conviction, license plate
16 numbers for every vehicle registered in the name of the sex
17 offender, the age of the sex offender at the time of the
18 commission of the offense, the age of the victim at the time of
19 the commission of the offense, and any distinguishing marks
20 located on the body of the sex offender. A sex offender
21 convicted under Section 11-6, 11-20.1, 11-20.3, or 11-21 of the
22 Criminal Code of 1961 shall provide all Internet protocol (IP)
23 addresses in his or her residence, registered in his or her
24 name, accessible at his or her place of employment, or
25 otherwise under his or her control or custody. If the sex
26 offender is a child sex offender as defined in Section 11-9.3

1 or 11-9.4 of the Criminal Code of 1961, the sex offender shall
2 report to the registering agency whether he or she is living in
3 a household with a child under 18 years of age who is not his or
4 her own child, provided that his or her own child is not the
5 victim of the sex offense. The sex offender or sexual predator
6 shall register:

7 (1) with the chief of police in the municipality in
8 which he or she resides or is temporarily domiciled for a
9 period of time of 3 or more days, unless the municipality
10 is the City of Chicago, in which case he or she shall
11 register at the Chicago Police Department Headquarters; or

12 (2) with the sheriff in the county in which he or she
13 resides or is temporarily domiciled for a period of time of
14 3 or more days in an unincorporated area or, if
15 incorporated, no police chief exists.

16 If the sex offender or sexual predator is employed at or
17 attends an institution of higher education, he or she shall
18 register:

19 (i) with the chief of police in the municipality in
20 which he or she is employed at or attends an institution of
21 higher education, unless the municipality is the City of
22 Chicago, in which case he or she shall register at the
23 Chicago Police Department Headquarters; or

24 (ii) with the sheriff in the county in which he or she
25 is employed or attends an institution of higher education
26 located in an unincorporated area, or if incorporated, no

1 police chief exists.

2 For purposes of this Article, the place of residence or
3 temporary domicile is defined as any and all places where the
4 sex offender resides for an aggregate period of time of 3 or
5 more days during any calendar year. Any person required to
6 register under this Article who lacks a fixed address or
7 temporary domicile must notify, in person, the agency of
8 jurisdiction of his or her last known address within 3 days
9 after ceasing to have a fixed residence.

10 A sex offender or sexual predator who is temporarily absent
11 from his or her current address of registration for 3 or more
12 days shall notify the law enforcement agency having
13 jurisdiction of his or her current registration, including the
14 itinerary for travel, in the manner provided in Section 6 of
15 this Act for notification to the law enforcement agency having
16 jurisdiction of change of address.

17 Any person who lacks a fixed residence must report weekly,
18 in person, with the sheriff's office of the county in which he
19 or she is located in an unincorporated area, or with the chief
20 of police in the municipality in which he or she is located.
21 The agency of jurisdiction will document each weekly
22 registration to include all the locations where the person has
23 stayed during the past 7 days.

24 The sex offender or sexual predator shall provide accurate
25 information as required by the Department of State Police. That
26 information shall include the sex offender's or sexual

1 predator's current place of employment.

2 (a-5) An out-of-state student or out-of-state employee
3 shall, within 3 days after beginning school or employment in
4 this State, register in person and provide accurate information
5 as required by the Department of State Police. Such information
6 will include current place of employment, school attended, and
7 address in state of residence. A sex offender convicted under
8 Section 11-6, 11-20.1, 11-20.3, or 11-21 of the Criminal Code
9 of 1961 shall provide all Internet protocol (IP) addresses in
10 his or her residence, registered in his or her name, accessible
11 at his or her place of employment, or otherwise under his or
12 her control or custody. The out-of-state student or
13 out-of-state employee shall register:

14 (1) with the chief of police in the municipality in
15 which he or she attends school or is employed for a period
16 of time of 5 or more days or for an aggregate period of
17 time of more than 30 days during any calendar year, unless
18 the municipality is the City of Chicago, in which case he
19 or she shall register at the Chicago Police Department
20 Headquarters; or

21 (2) with the sheriff in the county in which he or she
22 attends school or is employed for a period of time of 5 or
23 more days or for an aggregate period of time of more than
24 30 days during any calendar year in an unincorporated area
25 or, if incorporated, no police chief exists.

26 The out-of-state student or out-of-state employee shall

1 provide accurate information as required by the Department of
2 State Police. That information shall include the out-of-state
3 student's current place of school attendance or the
4 out-of-state employee's current place of employment.

5 (a-10) Any law enforcement agency registering sex
6 offenders or sexual predators in accordance with subsections
7 (a) or (a-5) of this Section shall forward to the Attorney
8 General a copy of sex offender registration forms from persons
9 convicted under Section 11-6, 11-20.1, 11-20.3, or 11-21 of the
10 Criminal Code of 1961, including periodic and annual
11 registrations under Section 6 of this Act.

12 (b) Any sex offender, as defined in Section 2 of this Act,
13 or sexual predator, regardless of any initial, prior, or other
14 registration, shall, within 3 days of beginning school, or
15 establishing a residence, place of employment, or temporary
16 domicile in any county, register in person as set forth in
17 subsection (a) or (a-5).

18 (c) The registration for any person required to register
19 under this Article shall be as follows:

20 (1) Any person registered under the Habitual Child Sex
21 Offender Registration Act or the Child Sex Offender
22 Registration Act prior to January 1, 1996, shall be deemed
23 initially registered as of January 1, 1996; however, this
24 shall not be construed to extend the duration of
25 registration set forth in Section 7.

26 (2) Except as provided in subsection (c) (4), any person

1 convicted or adjudicated prior to January 1, 1996, whose
2 liability for registration under Section 7 has not expired,
3 shall register in person prior to January 31, 1996.

4 (2.5) Except as provided in subsection (c)(4), any
5 person who has not been notified of his or her
6 responsibility to register shall be notified by a criminal
7 justice entity of his or her responsibility to register.
8 Upon notification the person must then register within 3
9 days of notification of his or her requirement to register.
10 If notification is not made within the offender's 10 year
11 registration requirement, and the Department of State
12 Police determines no evidence exists or indicates the
13 offender attempted to avoid registration, the offender
14 will no longer be required to register under this Act.

15 (3) Except as provided in subsection (c)(4), any person
16 convicted on or after January 1, 1996, shall register in
17 person within 3 days after the entry of the sentencing
18 order based upon his or her conviction.

19 (4) Any person unable to comply with the registration
20 requirements of this Article because he or she is confined,
21 institutionalized, or imprisoned in Illinois on or after
22 January 1, 1996, shall register in person within 3 days of
23 discharge, parole or release.

24 (5) The person shall provide positive identification
25 and documentation that substantiates proof of residence at
26 the registering address.

1 (6) The person shall pay a \$100 initial registration
2 fee and a \$100 annual renewal fee. The fees shall be used
3 by the registering agency for official purposes. The agency
4 shall establish procedures to document receipt and use of
5 the funds. The law enforcement agency having jurisdiction
6 may waive the registration fee if it determines that the
7 person is indigent and unable to pay the registration fee.
8 Thirty dollars for the initial registration fee and \$30 of
9 the annual renewal fee shall be used by the registering
10 agency for official purposes. Ten dollars of the initial
11 registration fee and \$10 of the annual fee shall be
12 deposited into the Sex Offender Management Board Fund under
13 Section 19 of the Sex Offender Management Board Act. Money
14 deposited into the Sex Offender Management Board Fund shall
15 be administered by the Sex Offender Management Board and
16 shall be used to fund practices endorsed or required by the
17 Sex Offender Management Board Act including but not limited
18 to sex offenders evaluation, treatment, or monitoring
19 programs that are or may be developed, as well as for
20 administrative costs, including staff, incurred by the
21 Board. Thirty dollars of the initial registration fee and
22 \$30 of the annual renewal fee shall be deposited into the
23 Sex Offender Registration Fund and shall be used by the
24 Department of State Police to maintain and update the
25 Illinois State Police Sex Offender Registry. Thirty
26 dollars of the initial registration fee and \$30 of the

1 annual renewal fee shall be deposited into the Attorney
2 General Sex Offender Awareness, Training, and Education
3 Fund. Moneys deposited into the Fund shall be used by the
4 Attorney General to administer the I-SORT program and to
5 alert and educate the public, victims, and witnesses of
6 their rights under various victim notification laws and for
7 training law enforcement agencies, State's Attorneys, and
8 medical providers of their legal duties concerning the
9 prosecution and investigation of sex offenses.

10 (d) Within 3 days after obtaining or changing employment
11 and, if employed on January 1, 2000, within 5 days after that
12 date, a person required to register under this Section must
13 report, in person to the law enforcement agency having
14 jurisdiction, the business name and address where he or she is
15 employed. If the person has multiple businesses or work
16 locations, every business and work location must be reported to
17 the law enforcement agency having jurisdiction.

18 (Source: P.A. 95-229, eff. 8-16-07; 95-579, eff. 6-1-08;
19 95-640, eff. 6-1-08; 95-658, eff. 10-11-07; 95-876, eff.
20 8-21-08; 96-1094, eff. 1-1-11; 96-1096, eff. 1-1-11; 96-1097,
21 eff. 1-1-11; 96-1102, eff. 1-1-11; 96-1104, eff. 1-1-11;
22 revised 9-2-10.)

23 (730 ILCS 150/6)

24 Sec. 6. Duty to report; change of address, school, or
25 employment; duty to inform. A person who has been adjudicated

1 to be sexually dangerous or is a sexually violent person and is
2 later released, or found to be no longer sexually dangerous or
3 no longer a sexually violent person and discharged, or
4 convicted of a violation of this Act after July 1, 2005, shall
5 report in person to the law enforcement agency with whom he or
6 she last registered no later than 90 days after the date of his
7 or her last registration and every 90 days thereafter and at
8 such other times at the request of the law enforcement agency
9 not to exceed 4 times a year. Such sexually dangerous or
10 sexually violent person must report all new or changed e-mail
11 addresses, all new or changed instant messaging identities, all
12 new or changed chat room identities, and all other new or
13 changed Internet communications identities that the sexually
14 dangerous or sexually violent person uses or plans to use, all
15 new or changed Uniform Resource Locators (URLs) registered or
16 used by the sexually dangerous or sexually violent person, and
17 all new or changed blogs and other Internet sites maintained by
18 the sexually dangerous or sexually violent person or to which
19 the sexually dangerous or sexually violent person has uploaded
20 any content or posted any messages or information. Any person
21 who lacks a fixed residence must report weekly, in person, to
22 the appropriate law enforcement agency where the sex offender
23 is located. Any other person who is required to register under
24 this Article shall report in person to the appropriate law
25 enforcement agency with whom he or she last registered within
26 one year from the date of last registration and every year

1 thereafter and at such other times at the request of the law
2 enforcement agency not to exceed 4 times a year. If any person
3 required to register under this Article lacks a fixed residence
4 or temporary domicile, he or she must notify, in person, the
5 agency of jurisdiction of his or her last known address within
6 3 days after ceasing to have a fixed residence and if the
7 offender leaves the last jurisdiction of residence, he or she,
8 must within 3 days after leaving register in person with the
9 new agency of jurisdiction. If any other person required to
10 register under this Article changes his or her residence
11 address, place of employment, telephone number, cellular
12 telephone number, or school, he or she shall report in person,
13 to the law enforcement agency with whom he or she last
14 registered, his or her new address, change in employment,
15 telephone number, cellular telephone number, or school, all new
16 or changed e-mail addresses, all new or changed instant
17 messaging identities, all new or changed chat room identities,
18 and all other new or changed Internet communications identities
19 that the sex offender uses or plans to use while accessing the
20 Internet or uses for other purposes of social networking or
21 other similar Internet communication, all new or changed
22 Uniform Resource Locators (URLs) registered or used by the sex
23 offender, and all new or changed blogs and other Internet sites
24 maintained by the sex offender or to which the sex offender has
25 uploaded any content or posted any messages or information, and
26 register, in person, with the appropriate law enforcement

1 agency within the time period specified in Section 3. If the
2 sex offender is a child sex offender as defined in Section
3 11-9.3 or 11-9.4 of the Criminal Code of 1961, the sex offender
4 shall within 3 days after beginning to reside in a household
5 with a child under 18 years of age who is not his or her own
6 child, provided that his or her own child is not the victim of
7 the sex offense, report that information to the registering law
8 enforcement agency. The law enforcement agency shall, within 3
9 days of the reporting in person by the person required to
10 register under this Article, notify the Department of State
11 Police of the new place of residence, change in employment,
12 telephone number, cellular telephone number, or school.

13 If any person required to register under this Article
14 intends to establish a residence or employment outside of the
15 State of Illinois, at least 10 days before establishing that
16 residence or employment, he or she shall report in person to
17 the law enforcement agency with which he or she last registered
18 of his or her out-of-state intended residence or employment.
19 The law enforcement agency with which such person last
20 registered shall, within 3 days after the reporting in person
21 of the person required to register under this Article of an
22 address or employment change, notify the Department of State
23 Police. The Department of State Police shall forward such
24 information to the out-of-state law enforcement agency having
25 jurisdiction in the form and manner prescribed by the
26 Department of State Police.

1 (Source: P.A. 95-229, eff. 8-16-07; 95-331, eff. 8-21-07;
2 95-640, eff. 6-1-08; 95-876, eff. 8-21-08; 96-1094, eff.
3 1-1-11; 96-1104, eff. 1-1-11; revised 9-2-10.)

4 Section 10. The Sex Offender Community Notification Law is
5 amended by adding Section 123 as follows:

6 (730 ILCS 152/123 new)

7 Sec. 123. Disclosure of information to social network
8 website provider. The Department of State Police shall, upon
9 the request of any social network website provider, release to
10 such provider the following information concerning a
11 registered sex offender: all e-mail addresses, instant
12 messaging identities, chat room identities, and other Internet
13 communications identities that the sex offender uses or plans
14 to use that would enable the social network website provider to
15 prescreen or remove the sex offender from its services or, in
16 conformity with State and federal law, advise law enforcement
17 or other governmental entities of potential violations of law
18 or threats to public safety. Before releasing information to a
19 social network website provider, the Department shall require a
20 social network website provider that requests information to
21 submit to the Department the name, address, and telephone
22 number of such provider and the specific legal nature and
23 corporate status of such provider. Except for the purposes
24 specified in this Section, a social network website provider

1 may not publish or in any way disclose or redisclose any
2 information provided to it by the Department pursuant to this
3 Section. The Department shall update any information released
4 pursuant to this Section on a monthly basis to ensure that the
5 information of every individual that has been removed from the
6 sex offender registry in this State is no longer released
7 pursuant to this Section. The Department may charge the social
8 network website provider a fee for access to information
9 pursuant to this Section. The Department shall promulgate any
10 rules necessary to implement the provisions of this Section. As
11 used in this Section, "social network website provider" means
12 any business, organization or other entity providing or
13 offering a service over the Internet which permits persons
14 under 18 years of age to access, meet, congregate, or
15 communicate with other users for the purpose of social
16 networking. This definition does not include general e-mail
17 services."